

Improvement Record No. 1028-1960

For the Opening of a fifty (50) foot wide street from the west property line of Lots 13 and 15, Popular Addition to the west property line of Smith Street, to be known as Lattimore Lane. AMENDED, SEPT. 23, 1960

to be known as SOUTHVIEW DRIVE.

Resolution Adopted:

April 7, 1960

Confirmed:

April 7, 1960

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

Sept. 23, 1960

B. O. 20-160

DECLARATORY RESOLUTION NO. 1028-1960

For the Opening of a fifty (50) foot wide street from the west property line of Lots 13 and 15, Popular Addition to the west property line of Smith Street, to be known as Lattimore Lane.

AMENDED September 23, 1960 to read as follows:

The Opening of a fifty (50) foot wide street from the west property line of Lots 13 and 15, Popular Addition, to the west property line of Smith Street, to be known as Southview Drive, as originally petitioned by the property owners.

PLANS ORDERED: Feb. 11, 1960

ADOPTED: April 7, 1960

ADVERTISE NOTICE TO PROPERTY OWNERS: WAIVED
(Waiver was signed)

HEARING ON CONFIRMATION: WAIVED

CONFIRMED: April 7, 1960

ASSESSMENT ROLL ORDERED: April 7, 1960

ASSESSMENT ROLL APPROVED: May 24, 1960

HEARING ON CONFIRMATION
OF ASSESSMENT ROLL: Thurs., June 23, 1960, at 7:30 p.m. IST.

NOTICE SERVED: T. U. A. 6/23/60 June 10, 1960

ASSESSMENT ROLL CONFIRMED: Sept. 23, 1960

For the ~~Vacation~~ Opening — Condemnation of right of way for utility purposes of a fifty (50) foot wide street from the west property line of Lots 13 and 15, Popular Addition to the west property line of Smith Street, to be known as Lattimore Lane.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to open a fifty (50) foot wide street from the west property line of Lots 13 and 15, Popular Addition to the west property line of Smith Street, to be known as Lattimore Lane, across the south twenty-five (25) feet of Lot No. 13 and the north twenty-five (25) feet of Lot No. 15, both lots in Popular Addition.

All as shown by a plan of such proposed ~~Vacation~~ Opening — Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana. The opening of said street as above described is to be made by condemning and appropriating for street purposes the property described above.

The cost of said ~~Vacation~~ Opening — Condemnation of right of way for utility purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such ~~Vacation~~ Opening — Condemnation of right of way for utility purposes is described as follows: Lots 13 and 15 in Popular Addition. Said addition inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

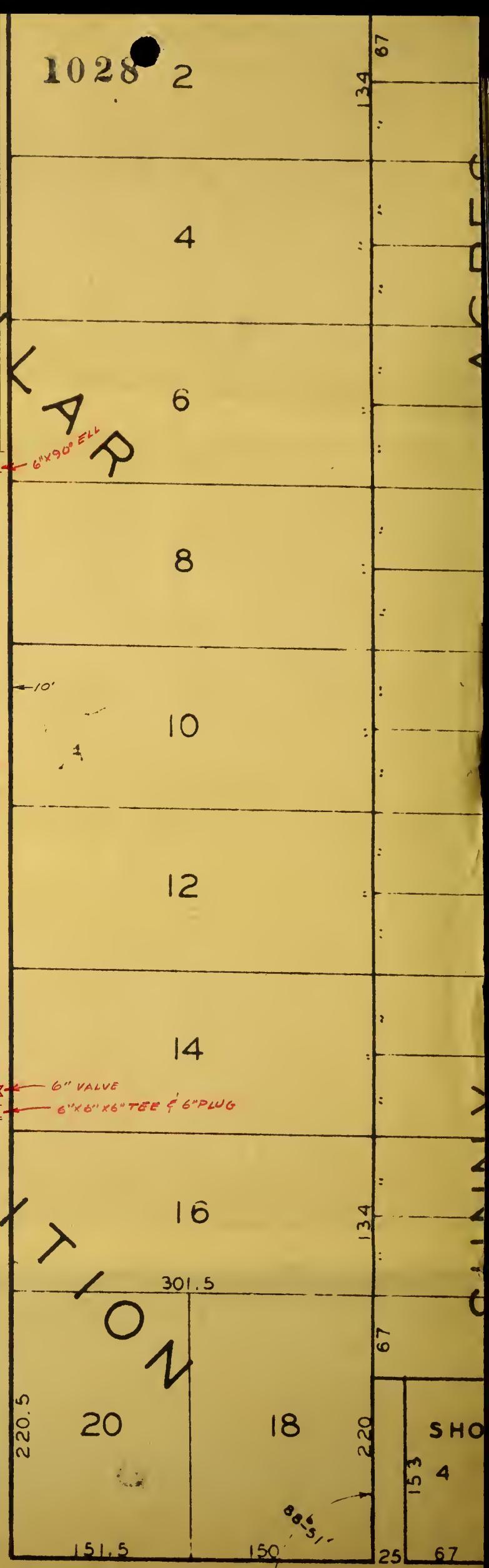
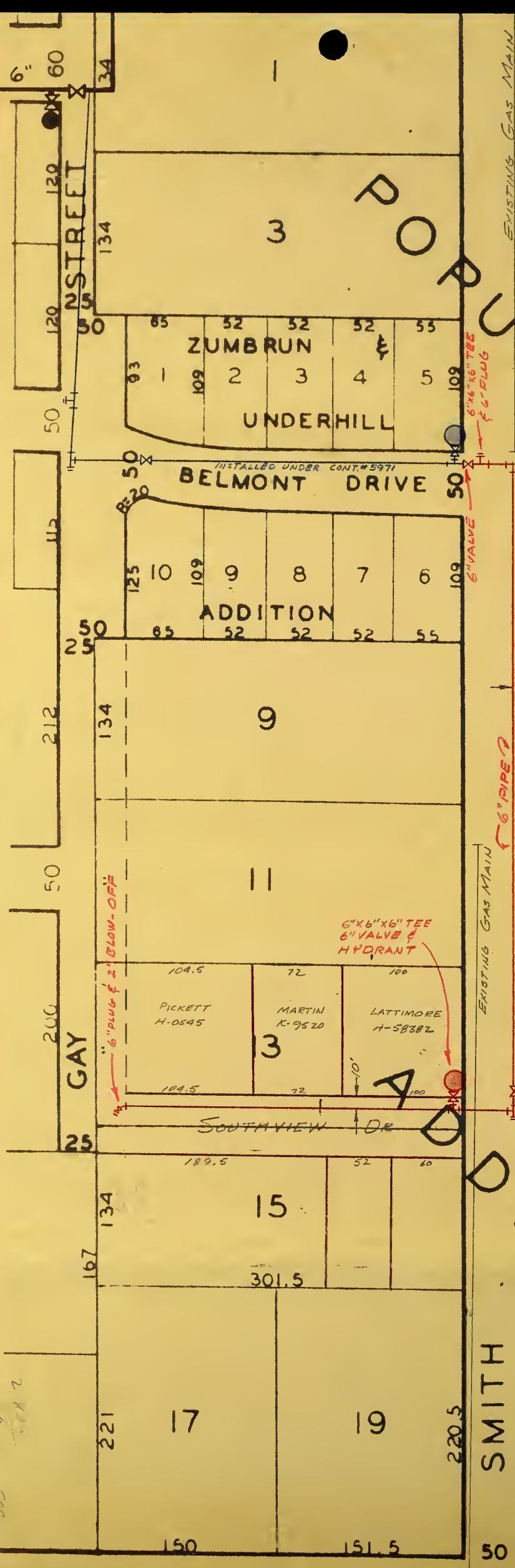
~~The vacation of the above described _____ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described opening are situated in the south-east quarter of Section 24, Township 30 North, Range 12 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 7th DAY OF April 1960

Attest:
Secretary Board of Public Works.

*John F. P. Rappelke
John D. Homard,
Edward*
Board of Public Works.



HAWTHORNE
STREET

GAY

1005

FRONT

1019

FRONT

5634

FRONT

VACANT

5714

FRONT

LATTIMORE
LANE

167 134

221

17

19

150

15.5

50

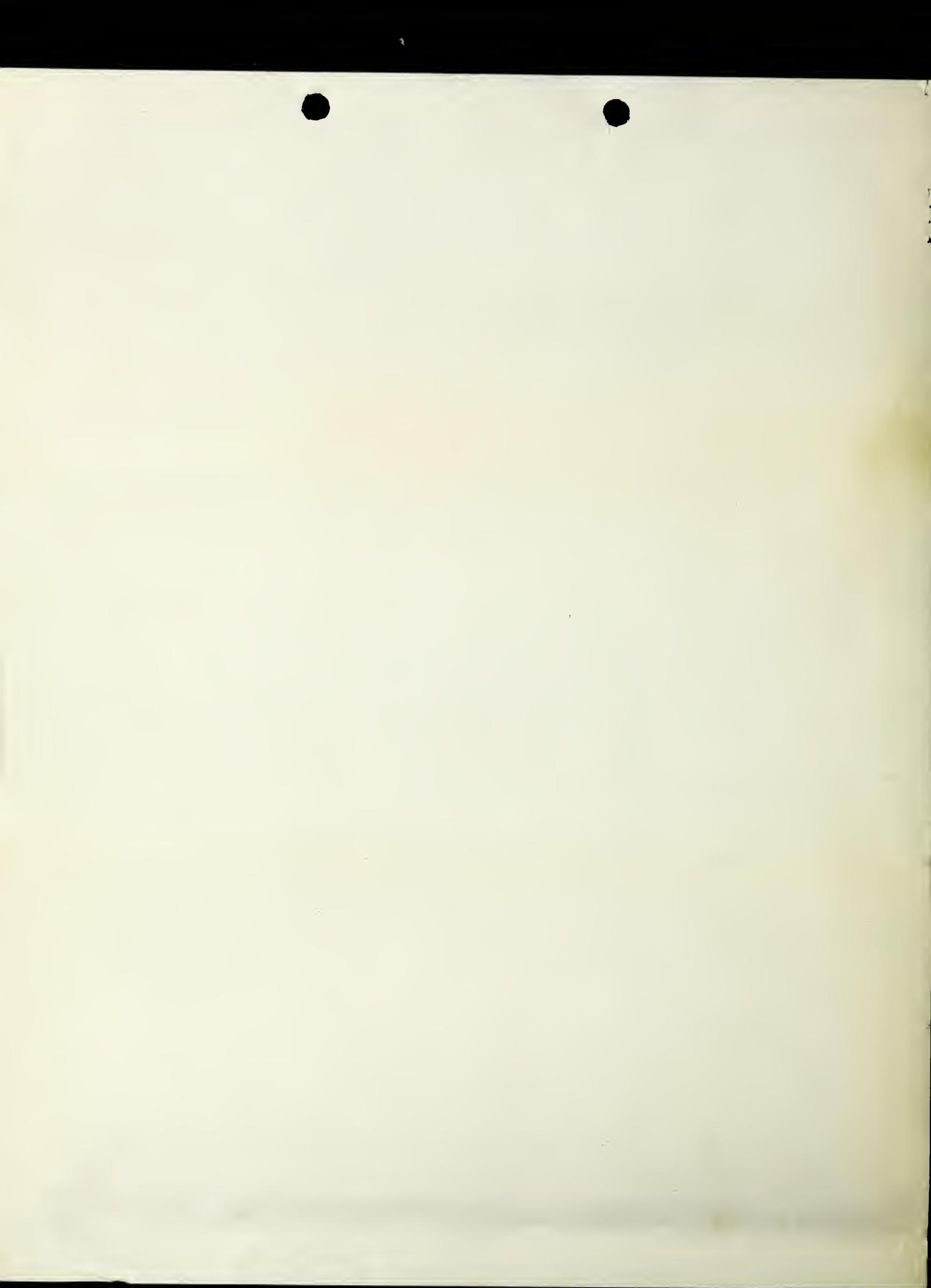
PAULDING

ROAD

50

50

1028



P E T I T I O N

Fort Wayne ~~FEB. 10 1960~~

NOTED

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

20

The undersigned, owners of real

estate on _____, from _____ to _____

respectfully petition for the passage of a resolution providing for the opening of a street across the south 25 feet of Lot No. 13 and the north 25 feet of Lot No. 15 in Popular Addition, to be known as Southview Drive.

NAME

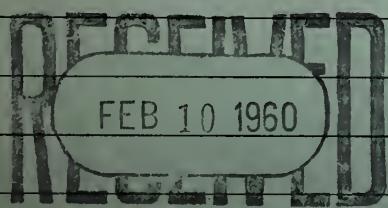
ADDRESS

LOT #13 + 15.

Petitioner

James H. Baltimore

5634 Smith St



Petition for Passage

of a Resolution for

from _____

to _____

Filed with the Board of Public Works

P E T I T I O N

RECEIVED
RECORDED

JUL 6 1960

NOTED

P.F.R.

Fort Wayne, Ind.

J.D.L.

B.W.

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

Date

The undersigned, owners of real estate on _____, from

to _____

respectfully petition for the passage of a resolution providing for the Opening of Smith Street from the 5400 block to Paulding Road. Southview open from Smith street west to Gaywood.

NAME

ADDRESS

Petitioner

Roswell S. Barnes LOT 1 5600 Smith
(Barnes)
David Pickett 1005 Southview Dr. Lot 13-1129' Poplar Add.
Carl Martin 1019 Southview Dr. Lot-13-0-72' Poplar Add.
Jacob Williams 5612 Smith St. Lot 6
Edward V. Hoffmann 5519 Smith St.
Henry J. Carr 5631 Smith St.
Fay May 5604 Smith St. Lot 1080.
Edward Terrell 5622 Smith St. Lot 10
W.H. Watley 5618 Smith St. Lot # 11
James H. Patterson 5634 Smith St.
Charles C. Carr 5604 Smith St. Lot 10
Charlie French 5714 Smith St. Lot 15
Frederick Jenkins 5420 Smith St. Lot # 5

Petition for Passage

of a Resolution for

from _____

to _____

Filed with the Board of Public Works

To: Department of Public Works
Office of the Board
Room No. 101, City Hall
Fort Wayne, Indiana



The property owners of Lots 13 and 15, in the unplotted area known as The Popular Addition, petition:

That instead of the proposed Lattimore Lane, the name Southview Drive be retained for the street from the west property line of Lots 13 and 15, Popular Addition to the west property line of Smith Street, (Declaratory Resolution No. 1028-1960)

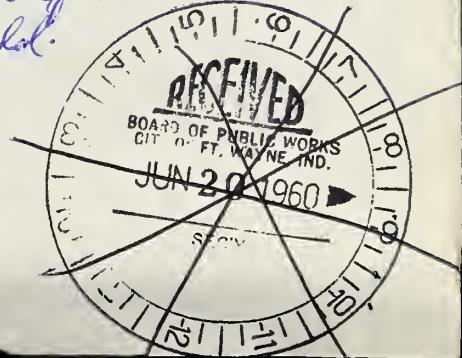
cc: City Engineering Dept.

James H. & Blanch Lattimore
Lots 13 & 15 except all off.
5634 Smith St.

David Pickett
Betty Pickett
1005 Southview Dr.
Lot 13 - W. 129' Popular Add.

Charlie French
Georgia French
5714 Smith St
Lot 15 Popular Add.

W. Earl Martin
Anneaten Martin
1019 Southview Dr.
Lot 13 - W. 72 & 100'
Popular Add.





FORT WAYNE 2, INDIANA

41-230-9

Date Feb. 11, 1960

APR 6 1960
NOTED
J.P.G.

To City Engineer

Subject Opening - Southview Drive

Received a petition for the Opening of a street across the south 25 feet of Lot No. 13 and the north 25 feet of Lot No. 15 in Popular Addition, to be known as Southview Drive.

Prepare an opinion, after conferring with all Governmental agencies and utilities.

Paul F. Roembke
John D. Lombard
Berkeley Ward
BOARD OF PUBLIC WORKS
ic
attach copy of petition
cc: Mayor Burns

Signed

Reply:

April 5, 1960

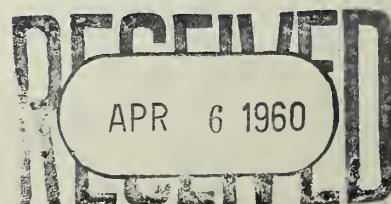
1028

Please see the attached report from Mr. Don Bodeker, Office Engineer, on which I concur. This matter should be considered concurrently with your Board Order 19-1960-of which I am addressing you a separate letter.

Edward Green
City Engineer

EG:lm

Attach.



Signed

City of Fort Wayne



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OFFICE OF
CITY PLAN COMMISSION

FORT WAYNE 2, INDIANA

March 21, 1960

Mr. Donald E. Bodeker
Office Engineer
City Engineers Office
Fort Wayne, Indiana

Dear Don:

We have reviewed the proposed openings as shown by ~~the accompanying sketch~~ and have arrived at the following ~~recommendations~~:

1. The platting of the east 1/2 of Gay Street between the north line of Lot 9 and the south line of Lot 13 would be desirable in that it would widen the existing right of way to the desirable width of 50 feet, therefore, it would be our recommendation that this opening be accomplished.

2. Regarding Southview Drive, it would be our recommendation that Southview Drive not be opened for the following reasons:

a. The opening of Southview Drive would establish another 300 feet of street for the city to maintain which would not serve any public purpose.

b. The street name Southview Drive is a duplication of an existing street not being a direct extension.

c. Both Lots 13 & 15 could be laid out to a better advantage if the frontage of those lots was maintained along Gay Street and Smith Street. The reasons for this are that by platting their frontage along Southview Drive the maximum number of lots that could be obtained would be four lots on the south side of Southview and four lots on the north side of Southview. If the frontage was maintained along Smith Street, it would be possible to get six lots out of Lot 13 and six lots out of Lot 15 without establishing any additional street improvements, drainage, utilities, and other factors normally involved with a new street.

For the above reasons it would be more accommodation that the
east 25 feet of Ray Street be opened up (as far as possible) for extension of
Southview Drive to dead end.

Respectfully yours,

CITY PLANNING COMMISSION

Bill

William J. Jones
Planning Director

W. J. J.
LAC 36.

City of Fort Wayne



ENGINEERING DEPARTMENT

FORT WAYNE, INDIANA

3

425 SOUTH CALHOUN STREET

April 5, 1960

Mr. Edward Green
City Engineer

Subject: Board Order No. 20-1960 - Opening Southview Drive

Declaratory resolution, drawing, waiver and property ownership list completed and attached.

The Planning Director has recommended that this street not be opened, mainly because a greater number of lots could be obtained by platting them on Smith Street and Gay Street instead of on the proposed street. A field check revealed, however, that the lots on the proposed street already have houses on them, and when the property was transferred a provision was made for a street, but it was never dedicated to the City for such purposes.

I agree with Mr. Jones that a street never should have been proposed here in the first place, but since houses have been built on it, and residents on side streets in this area are dependent upon this street being opened to get water lines to their property, I recommend that it be opened as requested.

Mr. Jones also recommended that, if opened, the street be given a name different than Southview Drive to avoid a duplication. I agree with this and will prepare a new resolution if instructed what street name should be used.

While preparing the waiver for this opening, we discovered there was an error in the descriptions and the correct property owners, as recorded. We have, therefore, acquired the names of all property owners who could possibly be affected, although we are aware that the descriptions are not all correct.

In view of the above facts, I recommend that the waiver be honored and immediate approval be given to this opening, as a public hearing will not be necessary.

Donald E. Bodeker
Donald E. Bodeker
Office Engineer

DEB:lm

1028

WAIVER

We, the undersigned, who are all of the persons owning property which may be injuriously or beneficially affected by the proposed opening of a street described as follows, to wit:

The opening of a fifty (50) foot wide street from the west property line of Lots 13 & 15, Popular Addition, to the west property line of Smith Street, to be known as Southview Drive,

which proposed opening is set out in a resolution of the Board of Public Works of the City of Fort Wayne, Indiana, No. 1028, do hereby waive any and all rights we may have to receive notice of such resolution either by publication or otherwise, do waive our right to a hearing on said resolution and do waive our rights to file or present in any way any remonstrance against the action taken by said Board of Public Works under said resolution; and we do all and each of us hereby agree that said Board of Public Works may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution and we further agree that such action so taken shall be final and conclusive on us and each of us.

Dated this 28th day of March, 1960

David Pickett,
David Pickett

1005 Southview Drive
The west 129 feet of Lot No. 13,
Popular Addition

Betty Pickett,
Betty Pickett

1019 Southview Drive
The west 5 feet of the east 120 feet of Lot No. 13,
Popular Addition

Cleodis Boyd,
Cleodis Boyd

719 Court Street
The west 52 feet of the north 109 feet of the east
172 feet of Lot No. 13,
Popular Addition

Willie Earl Martin,
Willie Earl Martin

Dorothy A. Boyd,
Dorothy A. Boyd

FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION

BY: Ralph W. Doctor, Secretary

5634 Smith Street
The east 115 feet of Lot No. 13; Lot No. 15 except
the east 85 feet, both in Popular Addition

James H. Lattimore,
James H. Lattimore

Blanch Lattimore,
Blanch Lattimore

Charlie French,
Charlie French

Georgia French,
Georgia French

5714 Smith Street
Lot No. 15 except the east 85 feet,
Popular Addition



FORT WAYNE 2, INDIANA

41-300-8

APR. 27 1960
NOTED

APR 27 1960
J. O. 20-160

Date April 7, 1960

To City Engineer

Subject Dec. Res. 1028-1960

It is the opinion of Associate City Attorney, Mr. John E. Hoffman, Jr., that as long as no legal notice has been published, any name may be assigned to a proposed street opening.

You may, therefore, rewrite Declaratory Resolution No. 1028, using the name of Lattimore Lane.

Also prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Paul F. Roembke
John D. Lombard
Berkeley Ward
BOARD OF PUBLIC WORKS

ic
attach Res. & P. B. List, ~~Assessment Roll (en)~~
cc: Mayor Burns

Signed

April 27, 1960

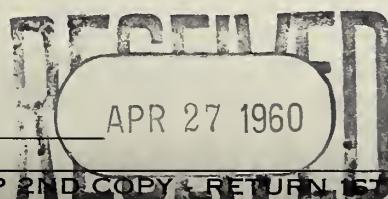
Reply: Two copies of new Resolution completed and attached.

Assessment roll of benefits and damages will be forwarded in a few days.

Edward Green
City Engineer

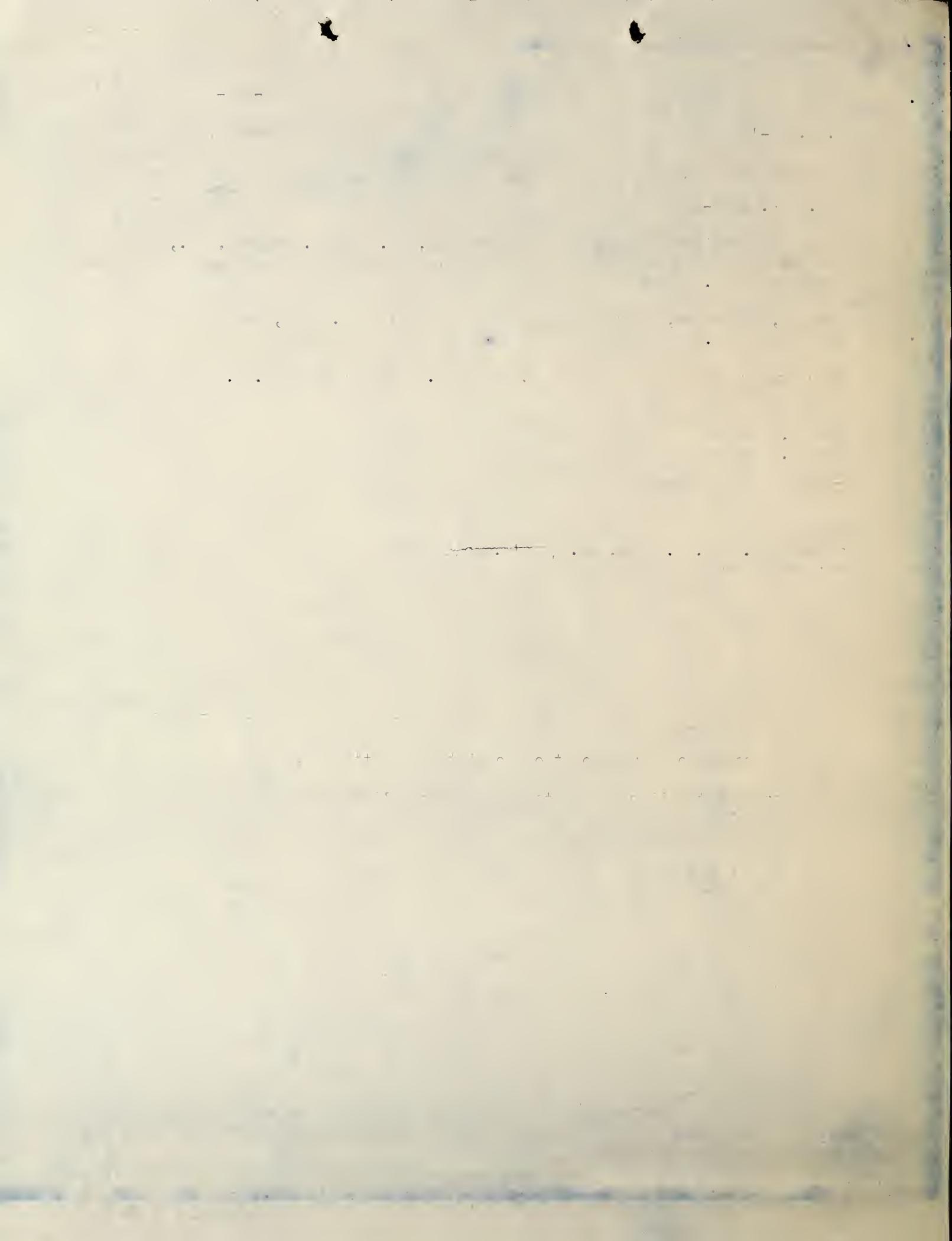
DEB:lm

Attachs.



Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY



DECLARATORY
Improvement Resolution No. 1028 - 1960 For THE OPENING OF A FIFTY (50) FOOT WIDE STREET FROM

THE WEST PROPERTY LINE OF LOTS 13 & 15, POPULAR ADDITION TO THE WEST PROPERTY LINE OF SMITH STREET, TO BE KNOWN AS SOUTHVIEW DRIVE.

1028